

#see too

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Amir HERZBERG et al.

Application Division

Serial No.: 09/431,067

ATTN: Box Missing Parts

Filed: November 1, 1999

Washington, D.C.

For: A METHOD FOR OPERATING PROACTIVELY SECURED...

January 31, 2000



LATE SUBMISSION OF FILING FEE AND/OR DECLARATION

HON. COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

Sir:

The present communication is in response to the "NOTICE TO FILE MISSING PARTS OF APPLICATION..." dated November 30, 1999.

- [XX] Attached hereto is an executed oath or declaration in compliance with 37 C.F.R. 1.63, identifying the present application by title, serial number, filing date and priority information.
- [] Attached hereto is an executed oath or declaration in compliance with 37 C.F.R. 1.63, identifying the present application by title, serial number, filing date and priority information, and to which is attached a duplicate copy of the application as filed.
- [] A verified statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 was submitted on _____
- [] A verified statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.
- [] A Communication.
- [] Preliminary Amendment.
- [] Preliminary Amendment and Statements in Support of Filing and Submissions in Accordance with 37 C.F.R. §1.821-1.825.
- [] Sequence Listing (hardcopy), and computer-readable form of Sequence Listing.
- [] A certified copy of priority document no. _____, filed _____, is also attached.
- [] An Information Disclosure Statement with 1449 and _____ references is also attached.
- [XX] Change of Address

	(Col.1)	(Col. 2)	Small Entity			OTHER THAN A SMALL ENTITY	
FOR:	NO. FILED	NO. EXTRA	RATE	FEE	OR	RATE	FEE
BASIC FEE				\$345.00	OR		\$ 690.00
TOTAL CLAIMS	25 - 20	5	X 9 =	\$	OR	X 18 =	\$ 90.00
INDEP.CLAIMS	3 - 3		X 39 =	\$	OR	X 78 =	\$
[] Multiple claims presented			+ 130 =	\$	OR	+ 260 =	\$
If the difference in Col. 1 is less than 0, enter "0" in Col. 2			TOTAL			TOTAL	\$ 780.00

The following fee is calculated below:

- [] Surcharge for late filing of English translation \$ 130.00
- [XX] Late filing of Declaration surcharge in the amount of: Small Entity [] \$65.00 Other than Small Entity [XX] \$130.00

- [] It is hereby petitioned for an extension of time in accordance with 37 C.F.R. 1.136(a).

The appropriate fee required by 37 C.F.R. 1.17 is calculated as shown below:

Small Entity

Response Filed Within

- [] First - \$ 55.00
- [] Second - \$ 190.00
- [] Third - \$ 435.00
- [] Fourth - \$ 680.00

Month After Time Period Set

Other Than Small Entity

Response Filed Within

- [] First - \$ 110.00
- [] Second - \$ 380.00
- [] Third - \$ 870.00
- [] Fourth - \$1,360.00

Month After Time Period Set

- [XX] Conditional Petition for Extension of Time:

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

- [XX] Check No. 24746 in the amount of \$ 910.00 is enclosed to cover the above fees.

- [XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR 1.18.

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By:

Sheridan Neimark

Registration No. 20,520

:wrd

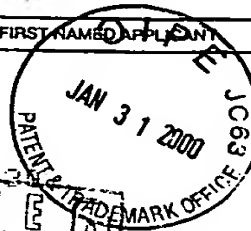
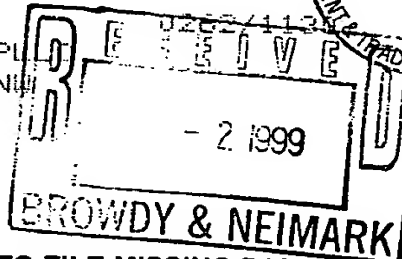


UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/431,067	11/01/99	HERZBERG	A HERZBERG=1

BROWDY AND NEIMARK PLLC
419 SEVENTH STREET NW
WASHINGTON DC 20004



NOT ASSIGNED

2766

DATE MAILED:

11/30/99

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

DOCKETED

MSP-30 TA 2000

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 980-.

- ☒ 1. The statutory basic filing fee is:
☐ missing.
☐ insufficient.

Applicant must submit \$ 760- to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

- ☒ 2. The following additional claims fees are due:

\$ 90- for 5 total claims over 20 01 FC:105
02 FC:103
03 FC:101
\$ _____ for _____ independent claims over 3. 130.00 OP
90.00 OP
690.00 OP
\$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☒ 3. The oath or declaration:

☒ is missing or unsigned.
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).
☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

- ☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

- ☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

W. O. Durham

Customer Service Center